

LANE REGIONAL AIR PROTECTION AGENCY

1010 Main Street, Springfield, Oregon 97477

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SIMPLE
AIR CONTAMINANT DISCHARGE PERMIT

Issued in accordance with provisions of Title 34, Lane Regional Air Protection Agency's Rules and Regulations, and based on the land use compatibility findings included in the permit record.

Issued To:

Lehigh Northwest Cement Company

3300 Marcola Road

Springfield, Oregon 97477

Land Use Compatibility Statement:

From: City of Springfield

Dated: April 29, 2002

Mailing Address:

4035 S.E. 22nd Avenue

Portland, OR 97202

Fee Basis:

Title 37, Table 1:

Part B: 74

All Other Sources not listed herein that LRAPA determines an air quality concern exists or one which would emit significant malodorous emissions

Permit Number: 204745

Permit Type: Simple "Low"

SIC: 5032

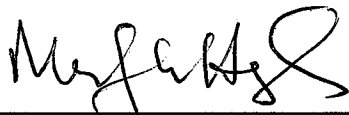
Date Renewed: July 12, 2007

Expiration Date: July 11, 2012

Permitted Sources:

Cement Distribution Operation

Issued By:



Merlyn L. Hough, Director

Effective Date:

May 8, 2009

ADDENDUM NO. 1
Administrative Amendment

In accordance with Section 37-0084 Air Contaminant Discharge Permit No. 204745 is hereby amended to change the permit type and fee basis on the cover page in accordance with Title 37 of LRAPA's Rules and Regulations.

MINIMAL AIR CONTAMINANT DISCHARGE PERMIT

LANE REGIONAL AIR PROTECTION AGENCY
1010 Main Street, Springfield, Oregon 97477
(541) 736-1056

This permit is being issued in accordance with provisions of Title 34,
Lane Regional Air Protection Agency's Rules and Regulations, and based
on the land use compatibility findings included in the permit record.

<u>Issued To:</u> Lehigh Northwest Cement Co. 3300 Marcola Road Springfield, Oregon 97477	<u>Land Use Compatibility Statement:</u> From: City of Springfield Dated: April 29, 2002
<u>Mailing Address:</u> 4035 S.E. 22 nd Avenue Portland, Oregon 97202	<u>Fee Basis:</u> Table A, Part II 63c Unlisted Source of Marginal Concern
<u>Permit Number:</u> 204745 <u>Permit Type:</u> Minimal <u>SIC:</u> 5032 <u>Date Issued:</u> July 12, 2007 <u>Expiration Date:</u> July 11, 2012	<u>Permitted Sources:</u> Cement Distribution Operation

Issued

By: _____
Merlyn L. Hough, Director

Effective

Date: _____

STATEMENT OF PURPOSE

1. This permit allows the permittee to discharge air contaminants from processes, activities, and insignificant activities related to the permitted source(s) listed above until this permit expires, is modified, or is revoked.

GENERAL PERFORMANCE AND EMISSION STANDARDS

Site Specific Authorization

2. This permit is site specific and is valid only at 3300 Marcola Road in Springfield, Oregon.

Particulate Matter (PM) Standards

3. The permittee shall not cause, suffer, allow, or permit the emission of any air contaminant, excluding uncombined water, into the atmosphere from any air contaminant source for a period or periods aggregating more than three (3) minutes in any one (1) hour which is equal to or greater than 20 percent opacity.
4. Particulate emissions shall not exceed 0.1 grain per standard dry cubic foot (dscf) from any air contaminant source constructed or modified after June 1, 1970.
5. The permittee shall utilize reasonable precautions to prevent fugitive dust from becoming airborne. Such precautions shall include, but not be limited to, the following:
 - a. Treating vehicular traffic areas of the plant site under the control of the permittee;
 - b. Operating all contaminant generating processes so that fugitive type dust associated with the operation will be adequately controlled at all times;
 - c. Storing collected materials from air pollution control equipment in a covered container or other method equally effective in preventing the material from becoming airborne during storage and transfer.
7. The permittee shall not allow the emissions of odorous or other fugitive emission so as to create nuisance conditions off the permittee's property. Nuisance conditions will be verified by LRAPA personnel. The creation of nuisance conditions may result in a permit modification to require a compliance schedule to control the nuisance condition.

Equipment Maintenance and Process Efficiency

8. The permittee shall at all times maintain and operate all air contaminant generating processes and all contaminant control equipment at full efficiency and effectiveness such that the emissions of air contaminants are kept at the lowest practicable levels.

Open Burning

9. The permittee may not conduct any open burning except as authorized in Title 47 of LRAPA's Rules and Regulations.

SUBMITTALS

Fees

10. The permittee will be invoiced for the renewal fees (Filing Fee, Application Processing Fee, and Compliance Determination Fee) in the month prior to expiration of this permit.

Reports

11. The permittee shall notify LRAPA before adding new or modifying existing equipment. LRAPA will determine whether a change to the permit is required. An application to modify the permit, if necessary, must include payment of the appropriate fees.
12. The permittee shall notify LRAPA of any change of mailing address, company name, or plant ownership. The permit will expire 60 days after a change in the legal entity owning/operating the facility unless application, with appropriate fees, is made to transfer the permit to the new entity.

ON-SITE INSPECTIONS

13. The permittee shall allow LRAPA representatives access to the plant site and pertinent records at all reasonable times for the purposes of performing inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant emissions discharge records, and conducting necessary functions related to this permit.
14. The permittee shall have a copy of the permit available at the facility at all times.

RECORDKEEPING

15. The permittee shall record the tons of cement distributed per calendar year.

MINIMAL SOURCE STATUS

16. LRAPA has determined that this source has minimal emissions, insignificant impact on air quality in the area, and creates no air quality nuisance conditions. If changes in annual operations result in increased emissions, the permittee must notify LRAPA and may be required to obtain a *Regular* Air Contaminant Discharge Permit. This would result in requirements for annual inspections and annual fees.

LEGAL DISCLAIMERS

17. The issuance of this permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
18. In addition to the specific requirements listed in this permit, the permittee shall comply with all other legal requirements enforceable by LRAPA.

ALL INQUIRIES REGARDING THIS PERMIT SHOULD BE DIRECTED TO:

Lane Regional Air Protection Agency
1010 Main Street
Springfield, Oregon 97477
(541) 736-1056

MH/cmw
9/10/07

GENERAL PERMIT CONDITIONS

General Conditions and Disclaimers

- G1. A copy of the permit application and this Air Contaminant Discharge Permit (ACDP) must be available on site for inspection upon request.
- G2. The permittee shall allow the Director or his/her authorized representatives access to the plant site and pertinent records at all reasonable times for the purpose of making inspections, surveys, collecting samples, obtaining data, reviewing and copying air contaminant discharge records and otherwise conducting necessary functions related to this permit in accordance with ORS 468.095. [LRAPA 13-020(1)(h)]
- G3. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

Performance Standards and Emission Limits

- G4. The permittee shall not cause or permit the emissions of any particulate matter which is greater than 250 microns in size if such particulate matter does or will deposit upon the real property of another person. [LRAPA 32-055]
- G5. The permittee shall not discharge from any source whatsoever such quantities of air contamination which cause injury, detriment, public nuisance or annoyance to any persons or to the public or which cause injury or damage to business or property; such determination to be made by LRAPA. [LRAPA 32-090(1)]
- G6. The permittee shall not cause or permit emission of water vapor if the water vapor causes or tends to cause detriment to the health, safety or welfare of any person or causes, or tends to cause damage to property or business. [LRAPA 32-090(2)]
- G7. The permittee shall not willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminants emitted, conceals emissions of air contaminants which would otherwise violate LRAPA rules. [LRAPA 33-030(1)]
- G8. The permittee shall not cause or permit the installation or use of any device or use of any means designed to mask the emissions of an air contaminant which causes or tends to cause detriment to health, safety or welfare of any person. [LRAPA 33-030(2)]
- G9. The permittee shall not allow any materials to be handled, transported, or stored; or a building, its appurtenances or road(s) to be used, constructed, altered, repaired, or demolished; or any equipment to be operated, without taking reasonable precautions to prevent particulate matter from being airborne. [LRAPA 48-015(2)]
- G10. The permittee shall not cause or permit the emissions of odorous matter in such a manner as to cause a public nuisance. [LRAPA 49-010(1)]

Excess Emissions: General Policy

G11. Emissions of air contaminants in excess of applicable standards or permit conditions are considered unauthorized and are subject to enforcement action, pursuant to LRAPA 36-010 and 36-030. These rules apply to any permittee operating a source which emits air contaminants in violation of any applicable air quality rule or permit condition resulting from the breakdown of air pollution control equipment or operating equipment, process upset, startup, shutdown, or scheduled maintenance. [LRAPA 32-001(1)]

Excess Emissions: Notification and Record-keeping

G12. The permittee must immediately (i.e., as soon as possible, but in no case more than one (1) hour after the beginning of the excess emissions period) notify LRAPA by telephone or in person of all cases of excess emissions due to upset or breakdown. [LRAPA 36-020(1)]
Notification shall include:

- a. source name;
- b. nature of the emissions problem;
- c. name of the person making the report;
- d. name and telephone number of the contact person for further information;
- e. date and time of the onset of the upset condition;
- f. whether or not the incident was planned;
- g. equipment involved in the upset or breakdown;
- h. estimated type and quantity of excess emissions;
- i. estimated time of return to normal operations;
- j. efforts made to minimize emissions; and
- k. description of remedial actions to be taken.

Notification shall be made to the LRAPA office. The current LRAPA telephone number during regular business hours (8 a.m. - 5 p.m., M-F) is (541) 736-1056. During nonbusiness hours, weekends, or holidays, the permittee shall immediately notify LRAPA by calling the LRAPA Upset/Complaint Line. The current number is (541) 726-1930.

Follow-up reporting, if required by LRAPA, shall contain all information required by Condition G15.

G13. At each reporting period specified in this permit, or sooner if required by LRAPA, the permittee shall submit a copy of the upset log entries for the reporting period, as required by Condition G15. [LRAPA 36-025(4)]

G14. Any excess emissions which could endanger public health or safety shall immediately be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.

G15. The permittee shall keep an upset log of all planned and unplanned excess emissions.

[LRAPA 36-025(3) and 36-030(1)] The upset log shall include the following:

- a. date and time each event was reported to LRAPA;
- b. whether the process handling equipment and the air pollution control equipment were at all times maintained and operated in a manner consistent with good practice for minimizing emissions;
- c. whether repairs or corrections were made in an expeditious manner when the permittee knew or should have known that emission limits were being or were likely to be exceeded;
- d. whether the event was one in a recurring pattern of incidents which indicate inadequate design, operation, or maintenance; and
- e. final resolution of the cause of the excess emissions.

Upset logs shall be kept by the permittee for two (2) calendar years.
[LRAPA 36-025(4)]

Excess Emissions: Scheduled Maintenance

- G16. Where it is anticipated that shutdown, by-pass, or operation at reduced efficiency of production equipment or air pollution control equipment for necessary scheduled maintenance may result in excess emissions, the permittee must obtain prior LRAPA approval of procedures that will be used to minimize excess emissions. Application for approval of procedures associated with the scheduled maintenance shall be submitted and received by LRAPA in writing at least seventy-two (72) hours prior to the event. [LRAPA 36-015(1)] The application shall include the following:
- a. reasons explaining the need for maintenance, including why it would be impractical to shut down the source operation during the period, and why the by-pass or reduced efficiency could not be avoided through better scheduling for maintenance or through better operation and maintenance practices;
 - b. identification of the specific production or emission control equipment or system to be maintained;
 - c. nature of the air contaminants likely to be emitted during the maintenance period, and the estimated amount and duration of the excess emissions, including measures such as the use of overtime labor and contract services and equipment that will be taken to minimize the length of the maintenance period; and
 - d. identification of specific procedures to be followed which will minimize excess emissions.
- G17. No scheduled maintenance which is likely to result in excess emissions shall occur during any period in which an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency has been declared, or during an announced "Stage I Red" woodstove advisory period, in areas determined by LRAPA as PM₁₀ Nonattainment Areas. [LRAPA 36-015(4)]
- G18. In cases where LRAPA has not received notification of scheduled maintenance that is likely to cause excess emissions within the required seventy-two (72) hours prior to the event, or where such approval has not been waived pursuant to LRAPA 36-025(2), the permittee shall immediately notify LRAPA by telephone of the situation, and shall be subject to the

requirements of Conditions G12 and G13. [LRAPA 36-015(5)]

Air Pollution Emergencies

G19. The permittee shall, upon declaration of an air pollution episode, take all actions specified in Tables 1, 2, and 3 of LRAPA's Title 51 and shall particularly put into effect the LRAPA-approved preplanned abatement strategy for such condition, if applicable. [LRAPA 51-015]

Notification of Construction/Modification

G20. The permittee shall notify LRAPA in writing and obtain approval in accordance with LRAPA 34-035 before:

- a. constructing or installing any new source of air contaminant emissions, including air pollution control equipment; or
- b. modifying or altering an existing source that may significantly affect the emissions of air contaminants, or
- c. making any physical change which increases emissions; or
- d. changing the method of operation, the process, or the fuel use, or increasing the normal hours of operation to levels above those contained in the permit application and reflected in this permit and which result in increased emissions.

Notification of Name Change

G21. The permittee shall notify LRAPA in writing, using an LRAPA Application for Administrative Amendment to ACDP form, within 60 days after legal change of the registered name of the company with the Corporation Division of the State of Oregon.

Applicable administrative fees must be submitted with an application for the name change.

Permit Renewal

G22. Application for renewal of this permit must be submitted not less than 60 days prior to the permit expiration date. A Filing Fee, an Application Processing Fee, and an Annual Compliance Determination Fee must be submitted with the application for the permit renewal. [LRAPA 34-035]

G23. The procedure for issuance of a permit shall apply to renewal of a permit. If a completed application for a renewal of a permit is filed with LRAPA in a timely manner, prior to the expiration date of the permit, the permit shall not be deemed to expire until final action has been taken on the renewal application to issue or deny a permit. [LRAPA 34-130(16)]

Termination Conditions

- G24. This permit shall be automatically terminated: [LRAPA 34-140(2)]
- a. within sixty (60) days after sale or exchange of the activity or facility which requires a permit;
 - b. upon change of nature of the activities, operations, emissions, or discharges from those of record in the last application;
 - c. within one (1) year after a plant closure lasting continuously for one (1) or more years;
 - d. upon issuance of a new, renewal, or modified permit for the same operation; or
 - e. upon written request of the permittee.
- G25. In the event that it becomes necessary to suspend or terminate this permit due to non-compliance with the terms of the permit, unapproved changes in operation, false information submitted in the application or any other cause, LRAPA shall notify the permittee by registered or certified mail of its intent to suspend or revoke the permit. Such notification shall include the reasons for the suspension or revocation. The suspension or revocation shall become effective twenty (20) days from the date of mailing of such notices unless, within that time, the permittee requests a hearing. Such a request for hearing shall be made in writing and shall state the grounds for such a request. [LRAPA 34-140(3)]
- G26. Termination of this permit resulting from continuous plant closure shall subject the source to review as a new non-permitted source upon application to operate the facility. [LRAPA 34-140(4)]
- G27. If LRAPA finds that there is a serious danger to the public health or safety or that irreparable damage to a resource will occur, it may suspend or terminate this permit, effective immediately. Notice of such suspension or termination must state the reasons for such action and advise that the permittee may request a hearing. Such a request for a hearing shall be made in writing within ninety (90) days of the date of the suspension and shall state the grounds for the request. [LRAPA 34-140 (5)]
- G28. Any hearing requested shall be conducted pursuant to the LRAPA's rules. [LRAPA 34-140(6)]
- G29. The permittee shall submit, by April 20 of each year, the emission inventory form provided by LRAPA.

DW/bp [revised 3/7/06]